

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**EARNEST HOYE**

**v.**

**UPSHUR COUNTY, TEXAS**

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**CIVIL ACTION NO. 6:08CV391  
Judge Michael Schneider  
Jury Demanded**


**FINAL JUDGMENT**

On November 23, 2009 came on to be heard the above-entitled and numbered cause wherein Earnest Hoyer, the Plaintiff, appeared in person and by his attorney of record and announced ready for trial, and came Upshur County, Texas, the Defendant, who appeared by a representative of the Court and by its attorney of record and announced ready for trial, and a jury having been previously demanded, a jury consisting of eight good and lawful jurors was duly impaneled and the case proceeded to trial. At the conclusion of the evidence, the Court submitted the case to the jury on November 25, 2009, on written questions. The charge of the Court, including the written questions, and the verdict of the jury, are incorporated herein for all purposes by reference. It appearing to the Court that the verdict of the jury was for Defendant and against Plaintiff, judgment should be rendered upon the verdict in favor of the Defendant and against the Plaintiff.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff takes nothing by this suit and that the Defendant be in all things discharged. Costs of court are taxed against Plaintiff. This matter is dismissed with prejudice. All relief not expressly granted herein is denied.

**It is SO ORDERED.**

**SIGNED this 21st day of December, 2009.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE